

Permit Number: 3-2003-0284

EOEA Number: 12503

Dig Safe Number: PENDING

ACTON

Subject to all of the terms, conditions and restrictions printed or written below, and on the reverse side hereof, permission is hereby granted to **QUAIL RIDGE COUNTRY CLUB** to enter upon the State Layout in the **TOWN of ACTON** on the roads known as **Auto Routes #2A & 119** for the purpose of grading and constructing an access road as indicated on plans submitted on file in the District Three Permits Office.

The Massachusetts Highway Department's (MassHighway) supplemental M.G.L. Chapter 30, Section 61 Finding for the Quail Ridge Country Club project (EOEA No. 12503) in compliance with the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss 61-62H) and with its implementing regulations (301 CMR 11.00) are hereby incorporated as part and parcel of this Permit.

NOTE: Work allowed under this Permit is for constructing a driveway to access State Highway ONLY. Work to install WATER, SEWER OR GAS SERVICE connections within the State Highway or to RELOCATE UTILITY POLES must be applied for by the Owner/Controller of the Utility, UNDER SEPARATE PERMITS.

Any increase in size or change in use of this site may require a new access permit.

Prior to starting work, the Grantee shall notify the District Permit Engineer in writing of the contractor who will be performing the work outlined under this Permit. The Grantee shall provide the name, address and telephone number of the appropriate contact person.

No equipment, trucks, etc. shall occupy any part of the traveled way except between the hours of 9:00 am and 3:30 PM from Monday through Friday.

Two-way traffic shall be maintained at all times.

No work shall be allowed on holidays or at any times between and including the day before or the day after a long weekend which involves a holiday without the permission of the District Maintenance Engineer.

The grade within the proposed driveway area(s) shall be constructed on an upslope from the existing gutter line back to the location line at a rate of grade of at least 1/4 inch per foot, thence on a downgrade so as not to shed water upon the State Highway.

Such curbing as is necessary for the above driveway(s) may be removed and may be used to form the edges of the driveway(s) within the State Highway Location or is to be delivered to a maintenance storage depot as directed.

Any present or future structures on the property of the Grantee are to be located at least twelve feet (12') from the location line.

That part of the driveway(s) located within the limits of the State Highway location shall be paved and maintained by the Grantee at his expense to the satisfaction of the Engineer. It shall be constructed with a twelve inch (12") Gravel Base and three inches (3") of Bituminous Concrete placed in two rolled lifts of 1-1/2" each.

All debris resulting from the work shall be removed from the State Highway location.

All work relative to the guard rail shall be performed by a Department-approved guard rail contractor. (See attached list.)

All work shall be performed in accordance with the 1995 edition of the Commonwealth of Massachusetts' Highway Standard Specifications for Highways and Bridges.

All operations shall be conducted so as not to interfere with, interrupt or endanger the general public, or the traffic flow.

At any time during construction operations when a traffic delay of over twelve (12) minutes occurs and the situation is worsening, the Grantee, the Grantee's Consultant Engineer overseeing the work, or the Department shall begin to suspend operations. Continuously increasing delays of over twelve (12) minutes shall not be permitted. When it appears that delays are developing, one or more of the parties mentioned above shall drive the queue to determine the actual time of delay. Monitoring of traffic delay will be a continuous process until the job activity is complete and off the traveled way or until the determination is made to suspend operations.

In no case will operations commence prior to the specified hours of this Permit. This includes traffic set-ups that restrict the flow of traffic upstream of and through the construction zone.

No metal drums are allowed within the State Highway Layout.

UNIFORMED POLICE SHALL BE IN ATTENDANCE TO DIRECT TRAFFIC.

All required signs and traffic warning devices, **including the use of arrowboard(s)**, shall be furnished by the Grantee. All signs and devices shall be in accordance with the current edition of the F.H.W.A. Manual on Uniform Traffic Control Devices. The number and location of all signs and devices shall be as deemed necessary by the Engineer for the safe and efficient performance of the work and the safety of the traveling public.

All warning devices shall be subject to removal, replacement and/or repositioning by the Grantee as often as deemed necessary by the Engineer.

Cones and non-reflectorized warning devices shall not be left in operational position on the highway when the daytime operations have closed. If it becomes necessary for the Department to remove any warning devices or appurtenances from the project due to negligence by the Grantee, all costs for this work will be charged to the Grantee.

All vehicles excepting passenger cars, which are assigned to the permitted project and which operate on the site at speeds of 25 mph or less shall have an official SLOW MOVING VEHICLE emblem displayed.

Only a minimal amount of men and equipment shall occupy the State Highway location. Only equipment to be used in the actual construction work shall be allowed within the State Highway location.

All personnel who are working on the traveled way or breakdown lanes and who are not protected by traffic cones or similar protective devices shall wear safety vests.

The sub-division of a parcel of property by the owner does not in any way change the number of drives allowed under the standards. If there are a number of commercial establishments to be constructed, then a service road shall be constructed by the applicant to connect with the exit and entrance allowed under the existing standards.

The Grantee shall exercise this permit subject to all the rules and regulations made from time to time by the said Highway Department and the Department of Public Utilities and nothing in the permit shall be construed as authorizing any installation or maintenance thereof except in strict conformity with all Federal, State and Municipal laws, ordinances and regulations.

The Grantee shall indemnify and save harmless the Commonwealth and its Highway Department against all suits, claims or liability of every name and nature arising at any time out of or in consequence of the Acts of the Grantee in the performance of the work covered by this permit and/or failure to comply with the terms and conditions of this permit whether by itself or its employees or subcontractors.

A copy of this permit will be made available at the project site at all times during the progress of work for inspection by Department Personnel. Should the Grantee or contractor not have a copy at the site, the work will be stopped until such permit is made available.

This office will be notified twenty-four (24) hours prior to the start of work under the provisions of this permit.

ALL OF SAID WORK SHALL BE DONE AS DIRECTED AND TO THE SATISFACTION OF THE ENGINEER FROM THIS DEPARTMENT, AND AS SHOWN ON THE DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION PLAN COVERING THIS DRIVEWAY PERMIT.

(SEE ATTACHED SHEET FOR ADDITIONAL CONDITIONS)

No work shall be done under this permit until the Grantee shall have communicated with and received instructions from the District Highway Director of the Massachusetts Highway Department listed below.

This permit shall be void unless the work herein contemplated shall have been completed before October 30, 2004.

Dated at Worcester this 30th day of October 2003.

Massachusetts Highway Department

By _____
District Highway Director

Permit Number: 3-2003-0170
Dig Safe Number: 20031601738

ACTON

Subject to all of the terms, conditions and restrictions printed or written below and on the reverse side hereof, permission is hereby granted to **ACTON WATER DISTRICT** to enter upon the State Layout in the **TOWN of ACTON** on the road known as, **Auto Routes # 119 and 2A** for the purpose of installing a 8-inch water main connection, as shown on the submitted and approved plan on file in the District's Permit Office.

NOTE: Work allowed under this Permit is for installing a water service ONLY. Work to install drainage connections or other utility connections within the State Highway or to relocate utility poles must be applied for by the Owner/Controller of the Utility, UNDER SEPARATE PERMITS.

Any increase in size or change in use of this site may require a new access permit.

No equipment, trucks, etc. shall occupy any part of the traveled way except between the hours of **9:00 am and 3:30 PM from Monday through Friday.**

A free flow of traffic shall be maintained at all times.

Prior to starting work, the Grantee shall notify the District's Permit Engineer in writing of the contractor who will be performing the work outlined under this Permit. The Grantee shall provide the name, address and telephone number of the appropriate contact person.

No work shall be allowed on holidays or at any times between and including the day before or the day after a long weekend which involves a holiday without the permission of the District Maintenance Engineer.

Attention is called to the clauses in this permit relating to the laying of pipes, conduit, etc.

All excavated material, including bituminous concrete, cement concrete, stone, gravel, etc., shall be removed from the State Highway Layout. No stockpiling will be allowed within the State Highway Layout.

Where the hardened surface of the roadway is disturbed, all backfilling will be replaced with Control Density Fill (CDF), Type 2E, Flowable (Excavatable). CDF must be batched at a concrete plant and shall meet the following specifications:

Portland Cement	:	Meeting AASHTO M85
Fly Ash	:	Meeting AASHTO M4.05.02
Sand	:	Meeting M4.02.02
Water	:	Meeting M4.02.04
Air Entraining Admixtures	:	Meeting M4.02.05
Compressive Strength	:	28 day = 30 — 80 PSI 90 day = 100 PSI
Slump	:	10 — 12 inches

The CDF shall be brought to within seven (7) inches of the existing grade and the trench shall be plated overnight.

Four (4) inches of compacted bituminous concrete base course, (2-2 inch lifts), shall be placed over the cured CDF extending one (1) foot beyond each side of the trench and allowing for one and one-half (1 ½) inch lift of bituminous concrete Type I-1 binder course and one and one-half (1 ½) inch bituminous concrete Type I-1 top course.

An infrared heating device shall be used to soften the existing pavement so as to allow the blending of the new bituminous concrete with the existing, thus eliminating any joints that may otherwise occur.

All debris resulting from the work shall be removed from the State Highway location.

All work shall be performed in accordance with the 1995 edition of the Commonwealth of Massachusetts' Highway Standard Specifications for Highways and Bridges.

All operations shall be conducted so as not to interfere with, interrupt or endanger the general public, or the traffic flow.

At any time during construction operations when a traffic delay of over twelve (12) minutes occurs and the situation is worsening, the Grantee, the Grantee's Consultant Engineer overseeing the work, or the Department shall begin to suspend operations. Continuously increasing delays of over twelve (12) minutes shall not be permitted. When it appears that delays are developing, one or more of the parties mentioned above shall drive the queue to determine the actual time of delay. Monitoring of traffic delay will be

a continuous process until the job activity is complete and off the traveled way or until the determination is made to suspend operations.

In no case will operations commence prior to the specified hours of this Permit. This includes traffic set-ups that restrict the flow of traffic upstream of and through the construction zone.

No metal drums are allowed within the State Highway Layout.

No trench shall be left open overnight. If it becomes necessary for said trench to be left overnight, then it shall be covered with steel plates.

Between November 1st and April 1st, no trench shall be covered with a steel plate without the permission of the District Maintenance Engineer. Every effort shall be made to backfill the trench and install the temporary patch at the end of each work day.

UNIFORMED POLICE SHALL BE IN ATTENDANCE TO DIRECT TRAFFIC.

All required signs and traffic warning devices, **including the use of arrowboard(s)**, shall be furnished by the Grantee. All signs and devices shall be in accordance with the current edition of the F.H.W.A. Manual on Uniform Traffic Control Devices. The number and location of all signs and devices shall be as deemed necessary by the Engineer for the safe and efficient performance of the work and the safety of the traveling public.

All warning devices shall be subject to removal, replacement and/or repositioning by the Grantee as often as deemed necessary by the Engineer.

Cones and non-reflectorized warning devices shall not be left in operational position on the highway when the daytime operations have closed. If it becomes necessary for the Department to remove any warning devices or appurtenances from the project due to negligence by the Grantee, all costs for this work will be charged to the Grantee.

All vehicles excepting passenger cars, which are assigned to the permitted project and which operate on the site at speeds of 25 mph or less shall have an official SLOW MOVING VEHICLE emblem displayed.

Only a minimal amount of men and equipment shall occupy the State Highway location. Only equipment to be used in the actual construction work shall be allowed within the State Highway location.

All personnel who are working on the traveled way or breakdown lanes and who are not protected by traffic cones or similar protective devices shall wear safety vests.

The sub-division of a parcel of property by the owner does not in any way change the number of drives allowed under the standards. If there are a number of commercial establishments to be constructed, then a service road shall be constructed by the applicant to connect with the exit and entrance allowed under the existing standards.

The Grantee shall exercise this permit subject to all the rules and regulations made from time to time by the said Highway Department and the Department of Public Utilities and nothing in the permit shall be construed as authorizing any installation or maintenance thereof except in strict conformity with all Federal, State and Municipal laws, ordinances and regulations.

The Grantee shall indemnify and save harmless the Commonwealth and its Highway Department against all suits, claims or liability of every name and nature arising at any time out of or in consequence of the Acts of the Grantee in the performance of the work covered by this permit and/or failure to comply with the terms and conditions of this permit whether by itself or its employees or subcontractors.

A copy of this permit will be made available at the project site at all times during the progress of work for inspection by Department Personnel. Should the Grantee or contractor not have a copy at the site, the work will be stopped until such permit is made available.

This office will be notified twenty-four (24) hours prior to the start of work under the provisions of this permit.

ALL OF SAID WORK SHALL BE DONE AS DIRECTED AND TO THE SATISFACTION OF THE ENGINEER FROM THIS DEPARTMENT, AND AS SHOWN ON THE DEPARTMENT OF PUBLIC WORKS TRAFFIC DIVISION PLAN COVERING THIS DRIVEWAY PERMIT.

(SEE ATTACHED SHEET FOR ADDITIONAL CONDITIONS)

No work shall be done under this permit until the Grantee shall have communicated with and received instructions from the District Highway Director of the Massachusetts Highway Department listed below.

This permit shall be void unless the work herein contemplated shall have been completed before **June 30, 2004**.

Dated at Worcester this **30th** day of **June 2003**.

Massachusetts Highway Department

By Thomas J. Warujala
District Highway Director

TO THE GRANTEE:

You may proceed with the work described in the accompanying Permit, which has been issued to you by the MassHighway Department.

Please read carefully the instructions printed on the three additional pages of the Permit and note particularly those conditions, which apply to the work authorized.

Your attention is also called to the time given for the completion of this work. If it should be desired to extend the time for doing the work or alter any of the conditions of the Permit, application for such changes should be made as soon as possible to this office.

Upon completion of the work outlined, please fill out the form given below, detach and mail to this office. (A sketch on the back of the form or on a separate sheet, showing the location of any structures installed should be submitted. This sketch should show the relative positions of the structure by measurements to definite points within the highway location). IF THIS NOTICE IS NOT RETURNED, THE LIABILITY ASSUMED UNDER THIS PERMIT WILL CONTINUE.

NOTICE: at least 24 hrs. prior to starting work, please contact the District #3 Permit Engineer [508-929-3800 ext 3829] or contact Mr. Paul Hoey [ext 3819]

Very truly yours,

Thomas J. Waruzila
District Three Highway Director

Town of Acton
DISTRICT HIGHWAY DIRECTOR
WORCESTER MA.

6/30/03
WJD/spb
Cc: D. CANTY

Dear Sir:

Please be advised that the work authorized under Permit No. **3-2003-0170** issued by the MassHighway Department was completed in accordance with all the requirements of the Department on _____.

Signed: _____

Acton Water District; 178 Great Road, Acton, MA 01720

Conditions Relating Particularly to Permits for the Laying of Pipes, Conduits, etc.

After any pipes, conduits, drains or other underground structures are laid, or any excavation is made in the roadway, the trenches or openings shall be properly back-filled with suitable material, the back-filling shall be thoroughly tamped, and the surface of the road over said structure shall be left even with the adjoining ground. If the work is done in cold weather no frozen material shall be used for back-filling.

Wherever the hardened surface of the roadway, gutters, or any part of the surface of the highway is disturbed it shall be replaced in as good condition as before it was disturbed, and if new materials are required they shall correspond with those already in place on the road.

Where service pipes are to cross the highway the connections shall be made without disturbing the hardened surface of the roadway, by driving the pipes under the roadway, or the service pipes shall be carried under and across the road in a larger pipe, unless otherwise ordered by the Engineer.

The Grantee shall maintain the surface of the roadway over said structures as long as the Department may deem necessary, until all signs of the trenches shall have been eliminated.

Conditions Relating Particularly to Permits for the Erection of Poles, Wires, and Overhead Structures, and the Cutting and Trimming of Trees

In the erection of pole lines, unless otherwise herein provided, no trees located within the limits of the State Highway shall be cut or trimmed. No guy wires shall be attached to trees without a special permit from the Department, and in no event shall they be so attached as to girdle the trees or in any way interfere with their growth. The wires shall be so protected at all times and places that they shall not interfere with or injure the trees either inside or outside the location of the highway.

Where the cutting or trimming of trees is authorized by this permit, only such cutting and trimming shall be done as may be designated by the Engineer.

In the construction or reconstruction of pole lines no guy wires shall be erected nearer to the surface of the ground than six feet; provided, however, that the owners of such lines may maintain such guy wires at a lower elevation than six feet from the ground until such time as the Department shall notify them to remove said wires or to raise them to the elevation first stated.

In order to protect the trees through which any wires may pass, said wires shall be insulated and such other tree guards used as may be directed by the Engineer.

Where high tension wires are erected under this permit, they shall be so located that, under conditions of maximum severity as regards a coating of ice or snow, there shall be a space of at least eight feet between such high tension wires and other wires.

The Grantee shall, within sixty days from the date of completion of the work, file in the office of the Department a plan showing the location of each pole erected in accordance with the permit, said plan to be of such form as the Department may direct.

General and Additional Conditions

Whenever the word "Department" is used herein it shall mean the Commonwealth of Massachusetts Highway Department.

Whenever the word "Engineer" is used it shall mean the District Highway Director or other authorized representative of the Department.

Wherever the word "Grantee" is used herein it shall mean the person or persons, corporation or municipality to whom this permit is granted, or their legal representatives.

During the progress of the work all structures under ground and above ground shall be properly protected from damage or injury; such barriers shall be erected and maintained as may be necessary for the protection of the traveling public; the same shall be properly lighted at night; and the Grantee shall be responsible for all damages to persons or property due to or resulting from any work done under this permit.

Except as herein authorized, no excavation shall be made or obstacle place within the limits of the State highways in such a manner as to interfere unnecessarily with the travel over said road.

If any grading or sidewalk work done under this permit interferes with the drainage of the State highway in any way, such catch basins and outlets shall be constructed as may be necessary, in the opinion of the Engineer, to take proper care of said drainage.

Wherever the hardened surface of the roadway is disturbed and the Engineer may consider it necessary or advisable to do so, said surface will be restored by the employees of the Department, at such time as the Department may direct, and the expense thereof shall be borne by the Grantee, who shall purchase and deliver on the road the materials necessary for said work if and when directed by the Engineer. All payments to material men and to laborers, inspectors, etc., employed by the Department for or on account of the work herein contemplated shall be made by said Grantee forthwith on the receipt of written orders, pay rolls, or vouchers approved by the Department.

IF THE GRANTEE DOES ANY WORK CONTRARY TO THE ORDERS OF THE ENGINEER, AND, AFTER DUE NOTICE, FAILS TO CORRECT SUCH WORK OR TO REMOVE STRUCTURES OR MATERIALS ORDERED TO BE REMOVED, OR FAILS TO COMPLETE WITHIN THE SPECIFIED TIME THE WORK AUTHORIZED BY THIS PERMIT, THE DEPARTMENT MAY, WITH OR WITHOUT NOTICE, CORRECT OR COMPLETE SUCH WORK IN WHOLE OR IN PART, OR REMOVE SUCH STRUCTURES OR MATERIALS, AND THE GRANTEE SHALL REIMBURSE THE COMMONWEALTH FOR ANY EXPENSE INCURRED IN CORRECTING AND/OR COMPLETING THE WORK OR REMOVING THE STRUCTURES OR MATERIALS.

ALL OF THE WORK HEREIN CONTEMPLATED SHALL BE DONE UNDER THE SUPERVISION AND TO THE SATISFACTION OF THE MASSACHUSETTS HIGHWAY DEPARTMENT, AND THE ENTIRE EXPENSE THEREOF SHALL BE BORNE BY THE GRANTEE.

On the completion of the work herein contemplated all rubbish and debris shall be removed and the roadway and roadsides shall be left neat and presentable and satisfactory to the Engineer.

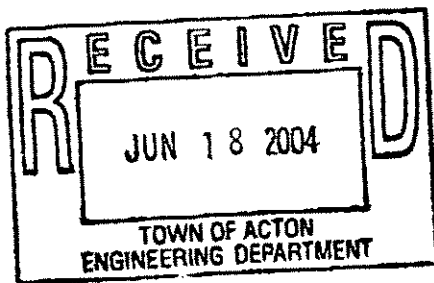
The Department hereby reserves the right to order the change of location or the removal of any structures authorized by this permit at any time, said change or removal to be made by and at the expense of the Grantee or it's/their successors or assigns.

This permit may be modified or revoked at any time by the Department without rendering said Department or the Commonwealth of Massachusetts liable in any way.

The Grantee shall pay the salary, subsistence and traveling expenses of any inspector appointed by the Department to supervise the work herein contemplated.

All of the above conditions shall be applicable to the work herein authorized, unless the same are inconsistent with the conditions on the face of the permit, in which case the conditions written or printed on the face of the permit shall apply.

The acceptance of this permit or the doing of any work thereunder shall constitute an agreement by the Grantee to comply with all of the conditions and restrictions printed or written herein.

MASS HIGHWAYMitt Romney
GovernorKerry Healey
Lt. GovernorDaniel A. Grabauskas
SecretaryJohn Coglianò
CommissionerPermit Number: 3-2004-0125
Dig Safe Number: pending**ACTON**

Subject to all of the terms, conditions and restrictions printed or written below, permission is hereby granted to the **TOWN OF ACTON** to enter upon the State Layout in the **TOWN OF ACTON** on the road known as the GREAT ROAD, Auto Routes # 2A & 119 for the purpose of installing a proposed concrete sidewalk, as follows.

The Town agrees to the following:

- 1.) The Town of Acton shall incur all costs associated with this project.
- 2.) The Town of Acton shall be responsible for all maintenance of the sidewalk, the grass area between the sidewalk and the edge of road, and snow removal on the sidewalk.
- 3.) The Town of Acton shall be responsible for obtaining any required slope easements and for all grade damage claims by abutters.
- 4.) The Town of Acton shall not make any assessments or betterment charges to abutters for the work done, but may seek voluntary contributions from abutters when appropriate.

The wheelchair ramps shall be constructed in accordance with 521 CMR Rules and Regulations of the Architectural Access Board (AAB) and Americans with Disabilities Act (ADA).

Any increase in size or change in use of this site may require a new access permit.

Prior to starting any work, the Grantee shall notify the District's Permit Engineer in writing of the Contractor who will be performing the work outlined under this Permit. The Grantee shall provide the name, address and telephone number of the appropriate contact person.

No equipment, trucks, etc. shall occupy any part of the traveled way except between the hours of 9:00 am and 3:30 PM from Monday through Friday.

No work shall be allowed on holidays or at any times between and including the day before or the day after a long weekend which involves a holiday without the permission of the District Maintenance Engineer.

Grading for the proposed driveways shall be done in back of the existing gutter line. The existing gutter line is not to be disturbed.

The grade within the proposed driveway area(s) shall be constructed on an upslope from the existing gutter line back to the location line at a rate of grade of at least 1/4 inch per foot, thence on a downgrade so as not to shed water upon the State Highway.

Any present or future structures on the property of the Grantee are to be located at least twelve feet (12') from the location line.

That part of the driveway(s) located within the limits of the State Highway location shall be paved and maintained by the Grantee at his expense to the satisfaction of the Engineer. It shall be constructed with a twelve inch (12") Gravel Base and three inches (3") of Bituminous Concrete placed in two rolled lifts of 1-1/2" each.

When utilizing any part of a State Highway drainage system, the Grantee is responsible for the repair of any damaged structure or pipe encountered during the prosecution of work. The Grantee is responsible whether the damage occurred prior to, or during construction.

No trees within the State Highway location shall be cut or trimmed.

All debris resulting from the work shall be removed from the State Highway location.

The shoulder area shall be restored to a condition as good as existed prior to the work.

Care shall be exercised to protect existing underground structures.

The bounds marked MHB shall not be disturbed or buried.

All work shall be performed in accordance with the 1988 edition of the Commonwealth of Massachusetts' Highway Department Standard Specifications for Highways and Bridges and the Supplemental Specifications dated December 11, 2002.

All operations shall be conducted so as not to interfere with, interrupt or endanger the general public, or the traffic flow.

At any time during construction operations when a traffic delay of over twelve (12) minutes occurs and the situation is worsening, the Grantee, the Grantee's Consultant Engineer overseeing the work, or the Department shall begin to suspend operations. Continuously increasing delays of over twelve (12) minutes shall not be permitted. When it appears that delays are developing, one or more of the parties mentioned above shall drive the queue to determine the actual time of delay. Monitoring of traffic delay will be

a continuous process until the job activity is complete and off the traveled way or until the determination is made to suspend operations.

In no case will operations commence prior to the specified hours of this Permit. This includes traffic set-ups that restrict the flow of traffic upstream of and through the construction zone.

No metal drums are allowed within the State Highway Layout.

UNIFORMED POLICE OFFICERS SHALL BE IN ATTENDANCE TO DIRECT TRAFFIC.

All required signs and traffic warning devices, **including the use of arrowboard(s)**, shall be furnished by the Grantee. All signs and devices shall be in accordance with the current edition of the FHWA Manual on Uniform Traffic Control Devices. The number and location of all signs and devices shall be as deemed necessary by the Engineer for the safe and efficient performance of the work and the safety of the traveling public.

All warning devices shall be subject to removal, replacement and/or repositioning by the Grantee as often as deemed necessary by the Engineer.

Cones and non-reflectorized warning devices shall not be left in operational position on the highway when the daytime operations have closed. If it becomes necessary for the Department to remove any warning devices or appurtenances from the project due to negligence by the Grantee, all costs for this work will be charged to the Grantee.

All vehicles excepting passenger cars, which are assigned to the permitted project and which operate on the site at speeds of 25 mph or less shall have an official SLOW MOVING VEHICLE emblem displayed.

Only a minimal amount of men and equipment shall occupy the State Highway location. Only equipment to be used in the actual construction work shall be allowed within the State Highway location.

All personnel who are working on the traveled way or breakdown lanes and who are not protected by traffic cones or similar protective devices shall wear safety vests.

The sub-division of a parcel of property by the owner does not in any way change the number of drives allowed under the standards. If there are a number of commercial establishments to be constructed, then a service road shall be constructed by the applicant to connect with the exit and entrance allowed under the existing standards.

The Grantee shall exercise this permit subject to all the rules and regulations made from time to time by the said Highway Department and the Department of Public Utilities and nothing in the permit shall be construed as authorizing any installation or maintenance

thereof except in strict conformity with all Federal, State and Municipal laws, ordinances and regulations.

The Grantee shall indemnify and save harmless the Commonwealth and its Highway Department against all suits, claims or liability of every name and nature arising at any time out of or in consequence of the Acts of the Grantee in the performance of the work covered by this permit and/or failure to comply with the terms and conditions of this permit whether by itself or its employees or subcontractors.

A copy of this permit will be made available at the project site at all times during the progress of work for inspection by Department Personnel. Should the Grantee or contractor not have a copy at the site, the work will be stopped until such permit is made available. This office will be notified twenty-four (24) hours prior to the start of work under the provisions of this permit.

ALL OF SAID WORK SHALL BE DONE AS DIRECTED AND TO THE SATISFACTION OF THE ENGINEER FROM THIS DEPARTMENT.

(SEE ATTACHED SHEETS FOR ADDITIONAL CONDITIONS)

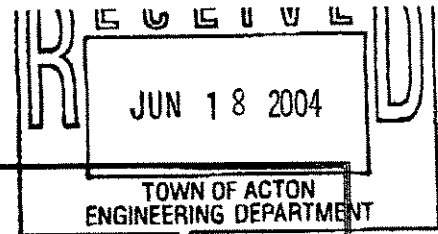
No work shall be done under this permit until the Grantee shall have communicated with and received instructions from the District Highway Director of the Massachusetts Highway Department listed below.

This permit shall be void unless the work herein contemplated shall have been completed before **June 10, 2005**.

Dated at Worcester this 10th day of June 2004.

Massachusetts Highway Department

By Thomas J. Warynski
District Highway Director

**TO THE GRANTEE:**

You may proceed with the work described in the accompanying Permit, which has been issued to you by the MassHighway Department.

Please read carefully the instructions printed on the three additional pages of the Permit and note particularly those conditions, which apply to the work authorized.

Your attention is also called to the time given for the completion of this work. If it should be desired to extend the time for doing the work or alter any of the conditions of the Permit, application for such changes should be made as soon as possible to this office.

Upon completion of the work outlined, please fill out the form given below, detach and mail to this office. (A sketch on the back of the form or on a separate sheet, showing the location of any structures installed should be submitted. This sketch should show the relative positions of the structure by measurements to definite points within the highway location). IF THIS NOTICE IS NOT RETURNED, THE LIABILITY ASSUMED UNDER THIS PERMIT WILL CONTINUE.

NOTICE: at least 24 hrs. prior to starting work, please contact the District #3 Permit Engineer [508-929-3800 ext 3829]

Very truly yours,

Thomas J. Waruzila
District Three Highway Director

TOWN of ACTON
DISTRICT HIGHWAY DIRECTOR
WORCESTER MA.

6/10/04
WJD/spb
Cc: D. Canty

Dear Sir:

Please be advised that the work authorized under Permit No. 3-2004-0125 issued by the MassHighway Department was completed in accordance with all the requirements of the Department on _____.

Signed: _____

Town of Acton, ATTN: Don P. Johnson, 472 Main Street, Acton, MA 01720

Conditions Relating Particularly to Permits for the Laying of Pipes, Conduits, etc.

After any pipes, conduits, drains or other underground structures are laid, or any excavation is made in the roadway, the trenches or openings shall be properly back-filled with suitable material, the back-filling shall be thoroughly tamped, and the surface of the road over said structure shall be left even with the adjoining ground. If the work is done in cold weather no frozen material shall be used for back-filling.

Wherever the hardened surface of the roadway, gutters, or any part of the surface of the highway is disturbed it shall be replaced in as good condition as before it was disturbed, and if new materials are required they shall correspond with those already in place on the road.

Where service pipes are to cross the highway the connections shall be made without disturbing the hardened surface of the roadway, by driving the pipes under the roadway, or the service pipes shall be carried under and across the road in a larger pipe, unless otherwise ordered by the Engineer.

The Grantee shall maintain the surface of the roadway over said structures as long as the Department may deem necessary, until all signs of the trenches shall have been eliminated.

Conditions Relating Particularly to Permits for the Erection of Poles, Wires, and Overhead Structures, and the Cutting and Trimming of Trees

In the erection of pole lines, unless otherwise herein provided, no trees located within the limits of the State Highway shall be cut or trimmed. No guy wires shall be attached to trees without a special permit from the Department, and in no event shall they be so attached as to girdle the trees or in any way interfere with their growth. The wires shall be so protected at all times and places that they shall not interfere with or injure the trees either inside or outside the location of the highway.

Where the cutting or trimming of trees is authorized by this permit, only such cutting and trimming shall be done as may be designated by the Engineer.

In the construction or reconstruction of pole lines no guy wires shall be erected nearer to the surface of the ground than six feet; provided, however, that the owners of such lines may maintain such guy wires at a lower elevation than six feet from the ground until such time as the Department shall notify them to remove said wires or to raise them to the elevation first stated.

In order to protect the trees through which any wires may pass, said wires shall be insulated and such other tree guards used as may be directed by the Engineer.

Where high tension wires are erected under this permit, they shall be so located that, under conditions of maximum severity as regards a coating of ice or snow, there shall be a space of at least eight feet between such high tension wires and other wires.

The Grantee shall, within sixty days from the date of completion of the work, file in the office of the Department a plan showing the location of each pole erected in accordance with the permit, said plan to be of such form as the Department may direct.

page 2 of 3

General and Additional Conditions

Whenever the word "Department" is used herein it shall mean the Commonwealth of Massachusetts Highway Department.

Whenever the word "Engineer" is used it shall mean the District Highway Director or other authorized representative of the Department.

Wherever the word "Grantee" is used herein it shall mean the person or persons, corporation or municipality to whom this permit is granted, or their legal representatives.

During the progress of the work all structures under ground and above ground shall be properly protected from damage or injury; such barriers shall be erected and maintained as may be necessary for the protection of the traveling public; the same shall be properly lighted at night; and the Grantee shall be responsible for all damages to persons or property due to or resulting from any work done under this permit.

Except as herein authorized, no excavation shall be made or obstacle place within the limits of the State highways in such a manner as to interfere unnecessarily with the travel over said road.

If any grading or sidewalk work done under this permit interferes with the drainage of the State highway in any way, such catch basins and outlets shall be constructed as may be necessary, in the opinion of the Engineer, to take proper care of said drainage.

Wherever the hardened surface of the roadway is disturbed and the Engineer may consider it necessary or advisable to do so, said surface will be restored by the employees of the Department, at such time as the Department may direct, and the expense thereof shall be borne by the Grantee, who shall purchase and deliver on the road the materials necessary for said work if and when directed by the Engineer. All payments to material men and to laborers, inspectors, etc., employed by the Department for or on account of the work herein contemplated shall be made by said Grantee forthwith on the receipt of written orders, pay rolls, or vouchers approved by the Department.

IF THE GRANTEE DOES ANY WORK CONTRARY TO THE ORDERS OF THE ENGINEER, AND, AFTER DUE NOTICE, FAILS TO CORRECT SUCH WORK OR TO REMOVE STRUCTURES OR MATERIALS ORDERED TO BE REMOVED, OR FAILS TO COMPLETE WITHIN THE SPECIFIED TIME THE WORK AUTHORIZED BY THIS PERMIT, THE DEPARTMENT MAY, WITH OR WITHOUT NOTICE, CORRECT OR COMPLETE SUCH WORK IN WHOLE OR IN PART, OR REMOVE SUCH STRUCTURES OR MATERIALS, AND THE GRANTEE SHALL REIMBURSE THE COMMONWEALTH FOR ANY EXPENSE INCURRED IN CORRECTING AND/OR COMPLETING THE WORK OR REMOVING THE STRUCTURES OR MATERIALS.

ALL OF THE WORK HEREIN CONTEMPLATED SHALL BE DONE UNDER THE SUPERVISION AND TO THE SATISFACTION OF THE MASSACHUSETTS HIGHWAY DEPARTMENT, AND THE ENTIRE EXPENSE THEREOF SHALL BE BORNE BY THE GRANTEE.

On the completion of the work herein contemplated all rubbish and debris shall be removed and the roadway and roadsides shall be left neat and presentable and satisfactory to the Engineer.

The Department hereby reserves the right to order the change of location or the removal of any structures authorized by this permit at any time, said change or removal to be made by and at the expense of the Grantee or it's/their successors or assigns.

This permit may be modified or revoked at any time by the Department without rendering said Department or the Commonwealth of Massachusetts liable in any way.

The Grantee shall pay the salary, subsistence and traveling expenses of any inspector appointed by the Department to supervise the work herein contemplated.

All of the above conditions shall be applicable to the work herein authorized, unless the same are inconsistent with the conditions on the face of the permit, in which case the conditions written or printed on the face of the permit shall apply.

The acceptance of this permit or the doing of any work thereunder shall constitute an agreement by the Grantee to comply with all of the conditions and restrictions printed or written herein.

3.9 Recorded Plans and Deeds



RE: 40579 Pg: 044

Recorded: 09/23/2003
Document: 00000865 Page: 1 of 4

CONFIRMATORY DEED

4 -
recorded
land
only

I, GLORIA W. PALMER, of Acton, Middlesex County, Massachusetts, TRUSTEE of PALMER FAMILY REALTY TRUST under Declaration of Trust dated December 30, 1991 and recorded with Middlesex South District Registry of Deeds in Book 21936, Page 48 and TRUSTEE of SKYLINE REALTY TRUST u/d/t dated December 30, 1991 and recorded with said Deeds in Book 22001, Page 282 ("Grantor")

in consideration of less than One Hundred (\$100.00) DOLLARS

grant to QUAIL RIDGE COUNTRY CLUB, LLC, a Massachusetts limited liability company with a principal place of business located at 178 Great Road, Acton, Middlesex County, Massachusetts ("Grantee")

WITH QUITCLAIM COVENANTS

The land, with any buildings thereon, located in Acton, Middlesex County, Massachusetts and more particularly described on Exhibit A attached hereto.

Parcels One, Two and Three on Exhibit A are conveyed with the right to use Skyline Drive as shown on said plan for all purposes for which street and ways are now or may hereafter be used in the Town of Acton including without limitation access on foot and in motor vehicle and installing, maintaining, replacing any and all utilities need to service said Parcels.

Gloria W. Palmer, Trustee of Skyline Realty Trust joins in this deed for the purpose of conveying to Grantee so much of that portion of Lot P-1 shown on a plan of land entitled "Plan of Land in Acton, Massachusetts, owned by Patrick and Gloria W. Palmer, Scale 1 in. = 50 feet" dated October 7, 1991, recorded with said Deeds in Book 22001, Page 281, as is contained in Parcel B and Lot 4 as shown on Lot Layout Plan referred to in Exhibit A attached hereto and to further join in the grant to Grantee of the right to use Skyline Drive as set forth hereinabove.

327 of 9:

For Grantor's title, see deed to Gloria W. Palmer, Trustee of Palmer Family Realty Trust u/d/t dated December 30, 1991, recorded with said Deeds in Book 21936, Page 48, recorded with said Deeds in Book 22002, Page 186 and deed to Gloria W. Palmer, Trustee of

MSD 09/23/03 12:15:43 865 125.00
178 Great Road Acton, MA.

3 of 03

Skyline Realty Trust u/d/t dated December 30, 1991, recorded with said Deeds in Book 22001, Page 282, recorded with said Deeds in Book 22001, Page 292.

This confirmatory deed is recorded to correct the property description set forth in Exhibit A to the original deed dated July 15, 2003, recorded with said Deeds as Instrument No. 314 on July 19, 2003 wherein certain lines were inadvertently omitted.

Executed as a sealed instrument this 18 ^{40020/72} day this September, 2003.

PALMER FAMILY REALTY TRUST

By:

Gloria W. Palmer
GLORIA W. PALMER, TRUSTEE

SKYLINE REALTY TRUST

By:

Gloria W. Palmer
GLORIA W. PALMER, TRUSTEE

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

September 18, 2003

Then personally appeared the above named GLORIA W. PALMER, TRUSTEE and acknowledged the foregoing instrument to be her free act and deed, and the free act and deed of the PALMER FAMILY REALTY TRUST and SKYLINE REALTY TRUST, before me,

Joanne Martin
Notary Public Joanne Martin

My commission expires: 4/18/08



EXHIBIT A

The land, together with the buildings thereon, in Acton, Middlesex County, Massachusetts, being more particularly described as follows:

Parcel One:

The land with the buildings thereon located on the southwesterly side of Great Road, Acton, Middlesex County, Massachusetts, being shown as Parcel B and Lot 4 on a plan entitled "Skyline Drive Definitive Subdivision, Acton, Massachusetts". Lot Layout Plan prepared for Quail Ridge County Club, LLC dated April 14, 2003, revised June 18, 2003, by Stamski and McNary, Inc. to which plan reference is made for a more particular description.

Parcel B contains 139.8978± acres according to said plan.

Lot 4 contains 3.3742± acres according to said plan.

Parcel Two:

A certain parcel of land located in Acton, Middlesex County, Massachusetts consisting of approximately 3.75 acres (the "Premises"), bounded and described as follows:

Beginning at the Southeasterly corner of the Premises at a stone bound in the middle of the concord Water Works right of way, thence running north 9 degrees 26' West 124.7 feet to a corner of land formerly of Ruth Robbins; thence turning and running South 85 degrees 14' West 163.4 feet to a stake; thence turning and running North 3 degrees 0' West 269.3 feet by land of Thomas F. McCarthy heirs; thence running North 19 degrees 1' West 16 feet; thence running North 40 degrees 42' West 29.2 feet; thence running North 29 degrees 12 West 83.4 feet to a stake, the last three courses being by said land of Thomas F. McCarthy heirs; thence turning and running South 78 degrees 9' West 325.6 feet to a stake by other land of Nelson H. Tenney; thence turning and running by said Tenney land South 11 degrees 51' East 531.5 feet to a stake; thence turning and running by said Tenney land North 78 degrees 9' East 481.5 feet to the point of beginning.

Said premises are shown on Plan Number 526 of 1932, entitled "Plan of Land in Acton Mass" date June 1932 by Leonard C. Robinson,

Engineer and recorded September 28, 1932 in Book 5676, Page 332 in the Middlesex South District Registry of Deeds.

Parcel Three: (Registered Parcel)

A certain parcel of land in Acton, Middlesex County, Massachusetts bounded and described as follows:

Northerly by land now or formerly of Ruth Robins, two hundred and twenty-two feet;

Northeasterly by said Robbins land and land now or formerly of Stella D. Smith, nine hundred and fifty-two feet; and

Northerly, fifty-eight feet, and
Southeasterly, one hundred eighty-two and 50/100 feet by said Smith land;

Westerly, forty-three feet,
Southwesterly, four hundred and ninety feet, and
Southerly, three hundred and eighty-two feet, by land now or formerly of Mary S. Munro; and

Westerly by land now or formerly of Moses Taylor, three hundred and six feet.

All of said boundaries are determined by the Court to be located as shown on a plan, as approved by the court, filed in the Land Registration Office, a copy of a portion of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 18, Page 565, with Certificate 3179.



Bk: 40020 Pg: 072

Recorded: 07/19/2003

Document: 00000314 Page: 1 of 4

DEED

I, GLORIA W. PALMER, of Acton, Middlesex County, Massachusetts, TRUSTEE of PALMER FAMILY REALTY TRUST under Declaration of Trust dated December 30, 1991 and recorded with Middlesex South District Registry of Deeds in Book 21936, Page 48 and TRUSTEE of SKYLINE REALTY TRUST u/d/t dated December 30, 1991 and recorded with said Deeds in Book 22001, Page 282 ("Grantor")

in consideration of FOUR MILLION AND 00/100 (\$4,000,000.00) DOLLARS

grant to QUAIL RIDGE COUNTRY CLUB, LLC, a Massachusetts limited liability company with a principal place of business located at 178 Great Road, Acton, Middlesex County, Massachusetts ("Grantee")

WITH QUITCLAIM COVENANTS

The land, with any buildings thereon, located in Acton, Middlesex County, Massachusetts and more particularly described on Exhibit A attached hereto.

Said Parcel B and Lot 4 are conveyed with the right to use Skyline Drive as shown on said plan for all purposes for which street and ways are now or may hereafter be used in the Town of Acton including without limitation access on foot and in motor vehicle and installing, maintaining, replacing any and all utilities need to service said Parcels.

Gloria W. Palmer, Trustee of Skyline Realty Trust joins in this deed for the purpose of conveying to Grantee so much of that portion of Lot P-1 shown on a plan of land entitled "Plan of Land in Acton, Massachusetts, owned by Patrick and Gloria W. Palmer, Scale 1 in. = 50 feet" dated October 7, 1991, recorded with said Deeds in Book 22001, Page 281, as is contained in Parcel B and Lot 4 as shown on Lot Layout Plan referred to in Exhibit A attached hereto and to further join in the grant to Grantee of the right to use Skyline Drive as set forth hereinabove.

For Grantor's title, see deed to Gloria W. Palmer, Trustee of Palmer Family Realty Trust u/d/t dated December 30, 1991, recorded with said Deeds in Book 21936, Page 48, recorded with said Deeds in Book 22002, Page 186 and deed to Gloria W. Palmer, Trustee of

18240.00 ***
314 125.00
*** MASS. EXCISE TAX:
MSD 07/19/03 08:49:34

Skyline Realty Trust u/d/t dated December 30, 1991, recorded with said Deeds in Book 22001, Page 282, recorded with said Deeds in Book 22001, Page 292.

Executed as a sealed instrument this 15th day this July, 2003.

PALMER FAMILY REALTY TRUST

SKYLINE REALTY TRUST

By: *Gloria W. Palmer*
GLORIA W. PALMER, TRUSTEE

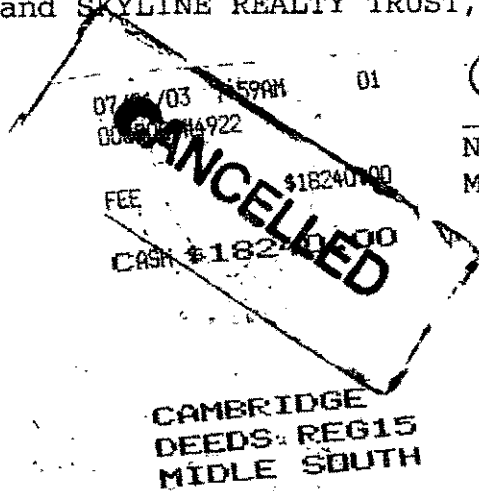
By: *Gloria W. Palmer*
GLORIA W. PALMER, TRUSTEE

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

JULY 15, 2003

Then personally appeared the above named GLORIA W. PALMER, TRUSTEE and acknowledged the foregoing instrument to be her free act and deed, and the free act and deed of the PALMER FAMILY REALTY TRUST and SKYLINE REALTY TRUST, before me,



Joanne Martin
Notary Public *Joanne Martin*
My commission expires: *4/18/08*

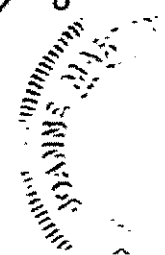


EXHIBIT A

The land, together with the buildings thereon, in Acton, Middlesex County, Massachusetts, being more particularly described as follows:

Parcel One:

The land with the buildings thereon located on the southwesterly side of Great Road, Acton, Middlesex County, Massachusetts, being shown as Parcel B and Lot 4 on a plan entitled "Skyline Drive Definitive Subdivision, Acton, Massachusetts". Lot Layout Plan prepared for Quail Ridge County Club, LLC dated April 14, 2003, revised June 18, 2003, by Stamski and McNary, Inc., to be recorded herewith, to which plan reference is made for a more particular description.

Parcel B contains 139.8978± acres according to said plan.

Lot 4 contains 3.3742± acres according to said plan.

Said Parcel B and Lot 4 are conveyed with the right to use Skyline Drive as shown on said plan for all purposes for which street and ways are now or may hereafter be used in the Town of Acton including without limitation access on foot and in motor vehicle and installing, maintaining, replacing any and all utilities need to service said Parcels.

Parcel Two:

A certain parcel of land located in Acton, Middlesex County, Massachusetts consisting of approximately 3.75 acres (the "Premises"), bounded and described as follows:

Beginning at the Southeasterly corner of the Premises at a stone bound in the middle of the concord Water Works right of way, thence running north 9 degrees 26' West 124.7 feet to a corner of land formerly of Ruth Robbins; thence turning and running South 85 degrees 14' West 163.4 feet to a stake; thence turning and running North 3 degrees 0' West 269.3 feet by land of Thomas F. McCarthy heirs; thence running North 19 degrees 1' West 16 feet; thence running North 40 degrees 42' West 29.2 feet; thence running North

MISSING INFO. SEE 40979/044

CONFIRMATORY DEED

Engineer and recorded September 28, 1932 in Book 5676, Page 332 in the Middlesex South District Registry of Deeds.

Parcel Three: (Registered Parcel)

A certain parcel of land in Acton, Middlesex County, Massachusetts bounded and described as follows:

Northerly by land now or formerly of Ruth Robins, two hundred and twenty-two feet;

Northeasterly by said Robbins land and land now or formerly of Stella D. Smith, nine hundred and fifty-two feet; and

Northerly, fifty-eight feet, and
Southeasterly, one hundred eighty-two and 50/100 feet by said Smith land;

Westerly, forty-three feet,
Southwesterly, four hundred and ninety feet, and
Southerly, three hundred and eighty-two feet, by land now or formerly of Mary S. Munro; and

Westerly by land now or formerly of Moses Taylor, three hundred and six feet.

All of said boundaries are determined by the Court to be located as shown on a plan, as approved by the court, filed in the Land Registration Office, a copy of a portion of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 18, Page 565, with Certificate 3179.



Bk 40019 Pg 163

Recorded: 07/19/2003

Document: 00000204 Page: 1 of 4

RELEASE DEED

The Town of Concord, Massachusetts, a municipal corporation, duly organized by law and having a mailing address c/o Board of Selectman's Office, Town House, 22 Monument Square, Concord, Massachusetts 01742 ("Grantor"),

acting under the approval of the House of Representative of the Commonwealth of Massachusetts pursuant to House Resolution No. 1988, in the year 1999,

for consideration of ONE AND NO/100 (\$1.00) DOLLAR

does hereby grant and release without any covenants to **Gloria W. Palmer**, not individually but as Trustee for the Palmer Family Realty Trust, under Declaration of Trust dated December 30, 1991 and recorded with Middlesex South District Registry of Deeds in Book 21936 Page 48, having a mailing address of 352 Great Road, Acton, Massachusetts 01720 ("Grantee")

a certain parcel of land located in ACTON, Middlesex County, Massachusetts consisting of approximately 3.75 acres (the "Premises"), bounded and described as follows:

Beginning at the Southeasterly corner of the premises at a stone bound in the middle of the Concord Water Works right of way, thence running north 9° 26' West 124.7 feet to a corner of land formerly of Ruth Robbins; thence turning and running South 85° 14' West 163.4 feet to a stake; thence turning and running North 3° 0' West 269.3 feet by land of Thomas F. McCarthy heirs; thence running North 19° 1' West 16 feet; thence running North 40° 42' West 29.2 feet; thence running North 29° 12' West 83.4 feet to a stake, the last three courses being by said land of Thomas F. McCarthy heirs; thence turning and running South 78° 9' West 325.6 feet to a stake by other land of Nelson H. Tenney; thence turning and running by said Tenney land South 11° 51' East 531.5 feet to a stake; thence turning and running by said Tenney land North 78° 9' East 481.5 feet to the point of beginning.

Said premises are shown on Plan Number 526 of 1932, entitled "Plan of Land in Acton Mass" date June 1932 by Leonard C. Robinson, Engineer and recorded September 28, 1932 in Book 5676 Page 332 in the Middlesex Registry of Deeds, Southern District.

With the grant of such property, however, Grantor retains a perpetual right and easement, in common with others to whom the Grantor may grant the same rights from time to time, to use that portion of the Premises shown on said plan and labeled "Concord Water Works - Right of Way." Said area shall be used for all purposes for which streets and ways are now or may hereafter be used in the Town of Acton, including but not limited to access by foot and in motor vehicles and installing and maintaining, replacing, removing and using underground utility lines, including without limitation sewers, drains, water mains, gas pipes, electric lines, telephone lines and cable television lines therein and thereunder, (all of which underground sewers, drains, water mains, gas pipes, electric lights, power and telephone wires and cable television lines shall remain the property of the persons installing the same).

MSD 07/19/03 08:28:31
204/ 75.00 125-
Property: A certain parcel of land in ACTON, Massachusetts, situated
on Nagog Brook about one-half mile Southeast of Nagog Pond.

Said premises are hereby conveyed subject to the rights, easements and restrictions of record insofar as now in force and applicable, including the rights and easements set forth in that certain deed from Nelson H. Tenney to the Town of Concord dated July 13, 1933 and recorded at Book 5732, Page 201 in the Middlesex County South Registry of Deeds.

For Grantor's Title see said deed from Nelson H. Tenney to the Town of Concord dated July 13, 1933 and recorded at Book 5732, Page 201 in the Middlesex County South Registry of Deeds, and the Taking dated September 28, 1932 and recorded at Book 5676, Page 331 in the Middlesex County South Registry of Deeds.

No Massachusetts Deed Excise Stamps are attached hereto, pursuant to Massachusetts General Laws Chapter 64D Section 1, because the Grantor is a city or town.

Witness our hands and seals this 16th day of July 2003.

THE TOWN OF CONCORD

By: Richard T. Edes
Richmond Edes
Chair, Board of Selectmen

By: RECUSED HERSELF FROM VOTE / DECISION
Margaret B. Briggs
Member, Board of Selectmen

By: Ruth C. Lauer
Ruth C. Lauer
Member, Board of Selectmen

By: Joseph P. Lenox III
Joseph P. Lenox III
Member, Board of Selectmen

By: Anne D. Shapiro
Anne D. Shapiro
Member, Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS

_____, SS.

July 16, 2003

Then personally appeared the above-named Richmond Edes and acknowledged the foregoing instrument to be his free act and deed as Chair of the Board of Selectmen, before me.

Ann M. Gauthier
Notary Public:
My Commission Expires: 6/20/08

COMMONWEALTH OF MASSACHUSETTS

_____, SS.

_____, 2003

Then personally appeared the above-named Margaret B. Briggs and acknowledged the foregoing instrument to be her free act and deed as Member of the Board of Selectmen, before me.

Notary Public:
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

_____, SS.

July 16, 2003

Then personally appeared the above-named Ruth C. Lauer and acknowledged the foregoing instrument to be her free act and deed as Member of the Board of Selectmen, before me.

Ann M. Gauthier
Notary Public:
My Commission Expires: 6/20/08

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

June 16, 2003

Then personally appeared the above-named Joseph P. Lenox III and acknowledged the foregoing instrument to be his free act and deed as Member of the Board of Selectmen, before me.


Joseph P. Lenox III
Notary Public:
My Commission Expires: 6/20/08

COMMONWEALTH OF MASSACHUSETTS

_____, ss.

July 16, 2003

Then personally appeared the above-named Anne D. Shapiro and acknowledged the foregoing instrument to be her free act and deed as Member of the Board of Selectmen, before me.


Anne D. Shapiro
Notary Public:
My Commission Expires: 6/20/08

RELEASE DEED

The Town of Acton, a municipal corporation, having a mailing address at 472 Main Street, Acton, Massachusetts 01720

for consideration paid, and in full consideration of Forty-Four Thousand Dollars (\$44,000.00) and other good and valuable consideration

releases to Quail Ridge Country Club LLC, a Massachusetts limited liability company with its principal place of business at 178 Great Road, Acton, Massachusetts



2004 00066895

all of its right title and interest in and to

Bk: 42294 Pg: 177 Doc: DEED
Page: 1 of 3 03/23/2004 03:35 PM

the land in Acton, Middlesex County, Massachusetts, containing 11.5 acres of land, bounded as follows:

Beginning at a corner of a wall, being the Northeast corner of the premises at land of said Taylor;

Thence Westerly on land of said Taylor to a corner of a wall at the wood pasture, so called;

Thence Southerly on said wood pasture and land of Simon Tuttle to a stake and stones in the swamp;

Thence Easterly on land of Luther Conant and Horace Tuttle to a stake and stone by the walls at the Muiler lot so called;

Thence Northerly on said Muiler lot as the wall now stands to a corner of a wall being the first bound.

Subject to easements, restrictions and covenants of record if they affect the locus and are in full force and effect, expressly not intending nor meaning to extend the same in the event that they have expired by operation of law or otherwise.

For title, see Tax Taking by the Town of Acton recorded with the Middlesex South District Registry of Deeds in Book 7563, Page 207. See also deed recorded with said Deeds in Book 413, Page 410.

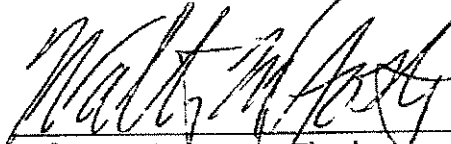
No Massachusetts Deed Excise Stamps are attached hereto, pursuant to Massachusetts General Laws Chapter 64D, Section 1, because the Grantor is a city or town.


REC'D TO
WILLIAM A. HARRIS, P.C.
ATTORNEYS AT LAW
100 GREAT RD.
ACTON, MASS.

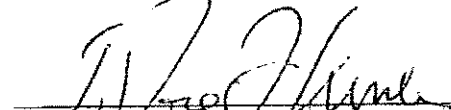
RECORDED
MAR 25 4 42 PM '04
ACTON, MASS.

Witness our hands and seals this 8th day of March, 2004.

TOWN OF ACTON
By its Board of Selectmen


Walter Foster, Chairman
hereunto


Peter K. Ashton, Vice-Chairman


P. Dora Hunter, Clerk


Robert Johnson, Member


William H. Schupert, Member

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

On this 8th day of March, 2004, before me, the undersigned Notary Public, personally appeared Walter H. Foster, proved to me through satisfactory evidence of identification, which was: examination of his driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as Selectman, Chairman of the Town of Acton, a municipal corporation.


Notary Public

My Commission Expires:

Sept 26, 2008

[apply seal]

acton to quail deed-1



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9615
Fax (978) 264-9630

Town Clerk

**EXCERPT OF THE ANNUAL TOWN MEETING HELD APRIL 2, 2001
WITH ADJOURNED SESSIONS HELD APRIL 3, APRIL 4 AND APRIL 9, 2001**

**April 9, 2001
Registered voters in attendance 449**

**ARTICLE 41 DISPOSAL OF TOWN LAND
(2/3 Vote Required)**

To see if the Town will authorize the Selectmen to sell, trade or otherwise dispose of a certain parcel of land shown on the Assessors Maps as Parcel 9, Map D-4, and specify the minimum terms for such disposal, or take any other action relative thereto.

MOTION:

Mrs. Harting-Barrat moves that the Selectmen are authorized to sell, trade or otherwise dispose of a certain parcel of land shown on the Assessors Maps as Parcel 9, Map D-4 and that the minimum value to be received shall be not less than the appraised value of the property.

MOTION CARRIES UNANIMOUSLY

A True Copy. Attest:

TOWN CLERK, ACTON, MASS

"SKYLINE DRIVE" DEFINITIVE SUBDIVISION ACTON, MASSACHUSETTS

INDEX:

SHEET 1 OF 11	COVER
SHEETS 2-4 OF 11	LOT LAYOUT PLANS
SHEET 5 OF 11	SITE PLAN AND PROFILE
SHEET 6 OF 11	FLUSH AND EROSION CONTROL PLAN
SHEET 7 OF 11	DETAILED SCHEDULE
SHEET 8 OF 11	DETAILED SCHEDULE
SHEET 9 OF 11	DETAILED SCHEDULE
SHEET 10-11 OF 11	SIDEWALK PLAN

RECORD OWNER:

GLORIA W. PALMER, TRUSTEE
PALMER FAMILY REALTY TRUST
387 NEWTON ROAD
ACTON, MA 01720

APPLICANT:

QUAL RIDGE COUNTRY CLUB, LLC
178 GREAT ROAD
ACTON, MA 01720
ENGINEER/SURVEYOR:
STANLEY AND MONROE, INC.
80 HANCOCK STREET
ACTON, MASSACHUSETTS 01720
(978) 253-6885

NOTES:

1. ALL ELEVATIONS REFER TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.
2. THIS PLAN SHALL BE CONSIDERED PART OF COUNTRY CLUB.



LOCUS PLAN
SCALE: 1"=1,200'



NOTE: LOCUS MAP PARCEL NUMBERS REFER TO ACTON ASSESSOR'S ATLAS MAP D-4. ALL INTERIOR TAX MAP PARCEL LINES (LOT LINES) TO BE EXTINGUISHED UPON ACCEPTANCE OF THE DEFINITIVE SUBDIVISION PLANS.

DATE: APRIL 14, 2003
REVISED: JUNE 18, 2003

ZONING DISTRICT:

RESIDENCE 10/6
LIMITED BUSINESS
GROUNDWATER PROTECTION DISTRICTS 2, 3, AND 4
AFFORDABLE HOUSING OVERLAY SUB-DISTRICT A

REFERENCE:

INDEXED REGISTRY OF DEEDS
NORTH DISTRICT
DEED BOOK 5978 PAGE 131
DEED BOOK 5978 PAGE 201
DEED BOOK 5978 PAGE 201
DEED BOOK 22003 PAGE 39
DEED BOOK 22003 PAGE 186
DEED BOOK 31944 PAGE 482
PLAN No. 327 OF 1992
PLAN No. 453 OF 1909
PLAN No. 454 OF 1909
PLAN No. 455 OF 1909
PLAN No. 521 OF 1940
PLAN No. 528 OF 1940
PLAN No. 528 OF 1940
PLAN No. 528 OF 1940
PLAN No. 528 OF 1940
LAND COURT PLAN 27284
TOWN ATLAS - ACTON, MASSACHUSETTS
MAP 14, PARCELS 2, 4, 7, 10, 16, 17, 17-1, AND 39

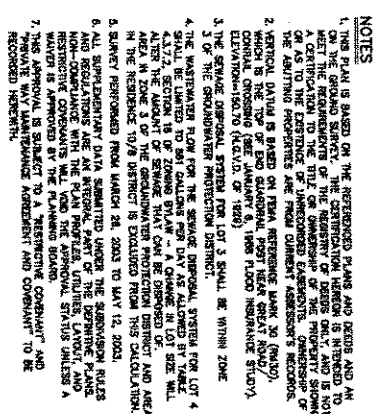
ACTION PLANNING BOARD

DECISION 03-01
DEFINITIVE SUBDIVISION
DATED JANUARY 14, 2003

"SKYLINE DRIVE"

DEFINITIVE SUBDIVISION
BY ACTION SURVEY & ENGINEERING
LAST REVISED: 10/02

Edward J. Ellis
TOWN CLERK
DATE: July 17, 2003

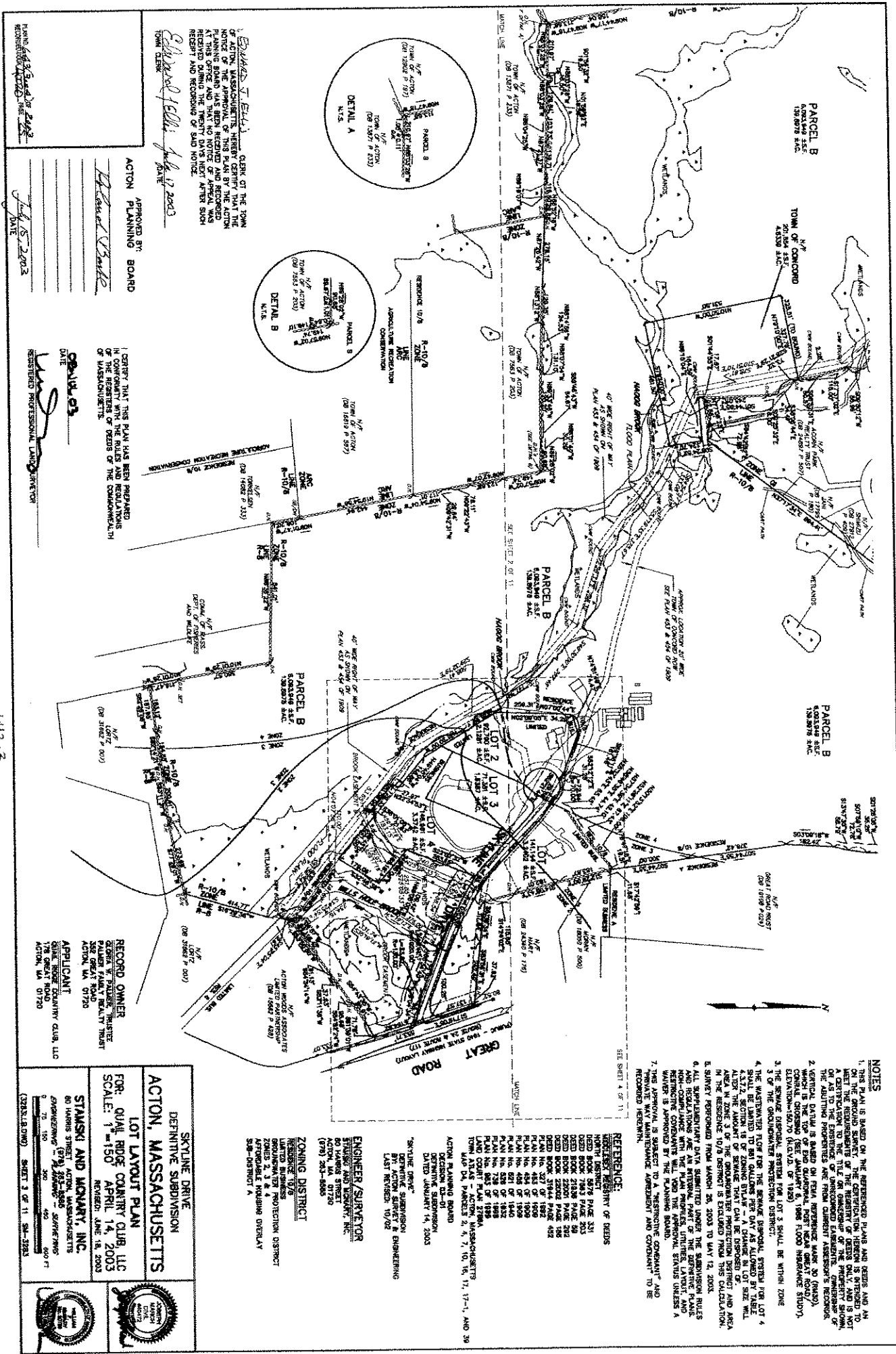


EXPANDED FILE

CASE NO. OF THE PROSECUTION
DATE RECEIVED BY THE COURT
DATE OF THE APPEAL OR THIS CASE BY THE ACTION
COURT
REMARKS SHOULD HAVE BEEN RECEIVED AND RECORDED
AT THIS OFFICE AND THAT NO NOTICE OF APPEAL WAS
RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH
RECEIPT AND RECORDING OF SAID NOTICE.

John J. Wells July 17, 2003

FORM 128-9 DATE _____



- NOTES**
1. THIS PLAN IS BASED ON THE REFERENCED PLANS AND DEEDS AND AN ON THE GROUND SURVEY. THE CERTIFICATION HEREIN IS WITHIN THE MEANS OF THE SURVEYOR'S BEST KNOWLEDGE AND BELIEF. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER SURVEYS OR RECORDS AFFECTING THE TITLE OR INTERESTS OF THE PROPERTY SHOWN, OR AS TO THE EXISTENCE OF UNRECORDED EASEMENTS, EMBODIMENTS OF INTERESTS, OR OTHER MATTERS AFFECTING THE PROPERTY SHOWN.
 2. VERTICAL DATA IS BASED ON FEMA RECORDS, A CORRECTION TO THE 1989 FLOOD INVENTORY (SEE JANUARY 6, 1999 FLOOD INVENTORY STUDY, ELEVATION 100.0) (A.C.V. OF 1920).
 3. THE SEWER DRAINAGE SYSTEM FOR LOT 3 SHALL BE WITHIN ZONE 3 OF THE GROUNDWATER PROTECTION DISTRICT.
 4. THE WATERWAY FLOW FOR THE SEWER DRAINAGE SYSTEM FOR LOT 4 SHALL BE WITHIN ZONE 3 OF THE GROUNDWATER PROTECTION DISTRICT.
 5. THE AMOUNT OF SEWER THAT CAN BE DISPOSED OF BY THE SEWER DRAINAGE SYSTEM SHALL BE BASED ON THE SEWER DRAINAGE SYSTEM'S DESIGN CAPACITY. THE SEWER DRAINAGE SYSTEM'S DESIGN CAPACITY SHALL BE BASED ON THE SEWER DRAINAGE SYSTEM'S DESIGN CAPACITY. THE SEWER DRAINAGE SYSTEM'S DESIGN CAPACITY SHALL BE BASED ON THE SEWER DRAINAGE SYSTEM'S DESIGN CAPACITY.
 6. ALL REPRESENTATIVE DATA SUBMITTED UNDER THE SUBDIVISION RULES AND REGULATIONS ARE AN INTERNAL PART OF THE DEFINITIVE PLANS. NON-COMPLIANCE WITH THE PLANS, PERMITS, UTILITIES, LAYOUT AND RECORDS IS APPROVED BY THE PLANNING BOARD.
 7. THIS APPROVAL IS SUBJECT TO A "RESTRICTIVE COVENANT" AND "EASEMENT" WAY MAINTENANCE AGREEMENT AND COVENANT TO BE RECORDED HEREIN.

REFERENCE:

DEED BOOK 5178 PAGE 331
DEED BOOK 7843 PAGE 203
DEED BOOK 2188 PAGE 58
DEED BOOK 2200 PAGE 156
DEED BOOK 3144 PAGE 482
PLAN NO. 327 OF 1982
PLAN NO. 454 OF 1989
PLAN NO. 455 OF 1989
PLAN NO. 517 OF 1982
PLAN NO. 738 OF 1989
PLAN NO. 863 OF 1989
PLAN NO. 863 OF 1989
TOWN MAPS - ACTON, MASSACHUSETTS
MAP NO. PARCELS 2, 3, 4, 7, 10, 11, 17-1, AND 38
ACTION PLANNING BOARD
DECISION D-01
DEFINITIVE SUBDIVISION
DATED FEBRUARY 14, 2003
"ST-ONE DRIVE"
ENGINEERING
LAST REVISION: 10/02

ENGINEER/SURVEYOR

STANISLAW AND ASSOCIATES, INC.
100 MAIN STREET
ACTON, MA 01720
(978) 263-8888

ZONING DISTRICT

RESIDENTIAL 10/0
LIMITED BUSINESS
PROFESSIONAL DISTRICT
ZONES 2, 3 & 4
AFTERMATH FLOOD OVERLAY
S-26 DISTRICT A

**SKYLINE DRIVE
DEFINITIVE SUBDIVISION
ACTION, MASSACHUSETTS
LOT LAYOUT PLAN**

FOR: QUAIL RIDGE COUNTRY CLUB, LLC
SCALE: 1"=150'
REVISION: APRIL 14, 2003
REVISED: JUNE 18, 2003

STANISLAW AND ASSOCIATES, INC.

60 HAWTHORNE STREET, ACTON, MASSACHUSETTS
(978) 263-8888
ENGINEERING - PLANNING - SURVEYING
9 TO 5 PM
500 MAIN STREET, ACTON, MA 01720
(978) 263-8888
SHEET 2 OF 11: SM-1223



643-3

APPROVED BY:
ACTION PLANNING BOARD
DATE: 7/15/2003

I, CERTIFY THAT THIS PLAN HAS BEEN PREPARED
IN CONFORMANCE WITH THE RULES AND REGULATIONS
OF THE COMMONWEALTH OF MASSACHUSETTS.
DATE: 08-14-03
REGISTERED PROFESSIONAL LAND SURVEYOR

RECORD OWNER:
QUAIL RIDGE COUNTRY CLUB, LLC
100 MAIN STREET
ACTON, MA 01720
APPLICANT:
QUAIL RIDGE COUNTRY CLUB, LLC
100 MAIN STREET
ACTON, MA 01720

Medication Registry of Deaths,
 Southern District
 Cambridge, Massachusetts
 Plan No. 6-42 of 20-23
 Rec'd 7-19 20-03
 at 25m in Dec No 20-03
 Rec'd, in Dec 1904, from 14
 persons
 J. H. [Signature]
 1905

1. CERTAIN THAT THIS PLAN SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING OWNERSHIP, LINES THAT ARE THE LINES OF EXISTING OWNERSHIP, AND THE LINES OF STREETS AND ALLEYS OF THE CITY OF CHICAGO, AND THAT THE PLAN SHOWS THE ALLEYS ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF OWNERSHIP OR FOR NEW ALLEYS ARE SHOWN, AND THAT THIS PLAN HAS BEEN PREPARED BY A LICENSED SURVEYOR, AND THAT THE PLAN IS ONE OF THE RESISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

**PARCEL B**

10472

NOTE:
THE PURPOSE OF THIS PLAN IS TO CREATE
THE PROPOSED EASEMENT X.

PROPOSED EASEMENT X
28.173 ± S.F.
0.6574 ± AC

HAZELNUT STREET

REFERENCE:
UNDEVELOPED PROPERTY OF DEEDS
NORTH DISTRICT
DEED BOOK 2200, PAGE 108
PLAN No. 327 OF 1992
PLAN No. 463 OF 1909
PLAN No. 464 OF 1909
PLAN No. 465 OF 1909
PLAN No. 466 OF 1909
PLAN No. 528 OF 1940
PLAN No. 532 OF 1932
PLAN No. 548 OF 1999
LAND COURT PLAN 17884
TOWN ATLAS - ACTON, MASSACHUSETTS
MAP OF PARCELS 2 & 4
ACTON PLANNING BOARD
ACTON, MASSACHUSETTS

ZONING DISTRICT
REFERENCE 10/8
UNITED BUSINESS
GROUNDWATER PROTECTION DISTRICT
ZONES 2, 3 & 4
ADJUSTABLE HOUSING OVERLAY
SUB-DISTRICT A

RECORD OWNERS
GLORIA W. PALMER, TRUSTEE
PALMER FAMILY REALTY TRUST
352 GREAT ROAD
ACTION, MA 01720

EASEMENT
 PLAN OF LAND
 IN
 ACTON, MASSACHUSETTS
 (MIDDLESEX COUNTY)
 FOR: AQUA RIDGE COUNTRY CLUB, LLC
 SCALE: 1"=50' JULY 14, 2003
 STAMSKI AND MCNARY, INC.
 80 HAWES STREET, ACTON, MASSACHUSETTS
 01901-2000
 PHONE: 508-261-1100 FAX: 508-261-1101
 E-MAIL: STAMSKI@STAMSKI-AND-MCNARY.COM
 0 25 50 100 150 200 FT
 (25000000.dwg) SH-3203



N. H. Tenney

N. H. Tenney

AREA 3.75 ACRES

159,460

SCALING: { 202, 292 sf.
444 m. west
Calc = 4.6399.

CONCORD WATER WORKS - RIGHT OF WAY

Heirs of Thomas F. McCarthy

Formerly Ruth Robbins

N. H. Tenney

CONCORD WATER WORKS
Concord, Mass.

Plan of Land
in

ACTION MASS.

Scale 1" = 40' June 1932.
Leonard C. Robinson Engineer

(Original on file.)
(Scale of this plan: 1 inch = 60 feet.)

Henry S. Thompson
Burleigh L. Pratt
Samuel Hoar
Water and Sewer Commissioners
of the Town of Concord Mass.

Middlesex Registry of Deeds, So. Dist.
CAMBRIDGE, MASS.

Plan Number 526 of 1932
Rec'd. Sept. 28, 1932 at 4 h. 1. m. P.M.
with Taking
Town of Concord

Recorded, Book 5676 Page 332

Attest Thomas Brighton Register.

526 of 1932

3.10 Letter Authorizing Entry and
Completion of Improvements by Town

QUAIL RIDGE COUNTRY CLUB, LLC
354B GREAT ROAD
SKYLINE DRIVE
ACTON, MASSACHUSETTS 01720

July 17, 2007

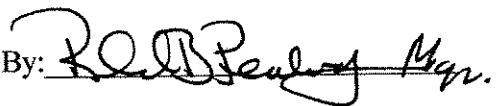
Planning Board
Town of Acton
472 Main Street
Acton, MA 01720

Re: The Residence at Quail Ridge, Application for a Senior Residence Special Permit

Ladies and Gentlemen:

In connection with the above-noted Application, specifically Section 3.10 of the Town of Acton Senior Residence Special Permit Rules and Regulations, the undersigned does hereby authorize the Town of Acton, acting by and through its various departments and representatives, to enter upon the land which is the subject of the above-noted Application, for the purpose of completing any services and streets not completed by the Applicant/Developer in accordance with the aforementioned Application, any plans submitted therewith, and any conditions set forth in approvals or permits granted in connection with said Application.

Quail Ridge Country Club LLC

By:  ,

Authorized Signatory

3.11 List of Current Mortgage Holders

QUAIL RIDGE COUNTRY CLUB, LLC
354B GREAT ROAD
SKYLINE DRIVE
ACTON, MASSACHUSETTS 01720

July 17, 2007

Planning Board
Town of Acton
472 Main Street
Acton, MA 01720

Re: The Residence at Quail Ridge, Application for a Senior Residence Special Permit

Ladies and Gentlemen:

In connection with the above-noted Application, specifically Section 3.11 of the Town of Acton Senior Residence Special Permit Rules and Regulations, this is to advise you that the following Mortgage Holders currently have an interest in subject property:

- 1) Webster Bank, N.A.
One Firstfed Park
Swansea, Massachusetts 02777
- 2) Gloria Palmer, Trustee of the Palmer Family Realty Trust
352 Great Road
Acton, Massachusetts 01720
- 3) Traywick Family LLC
6 Jay Lane
Acton, Massachusetts 01720

This list shall be kept current and on file with the Town of Acton during the application period.

Quail Ridge Country Club LLC

By: 
Authorized Signatory